

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

FILED
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U.S. DISTRICT COURT
N.D. OF ALABAMA

MOHAMMAD SHARIFI MOGHADDAM)
ABADI,)

Plaintiff,)

vs.)

CV 00-J-3396-NE

DR. SHARP,)

Defendants.)

ENTERED
asl
DEC 3 - 2001

MEMORANDUM OPINION


The magistrate judge filed a report and recommendation on November 20, 2001, recommending that the defendant's motion for summary judgment be granted and this cause be dismissed with prejudice. Plaintiff filed objections on November 28, 2001. Plaintiff objects to the magistrate judge's failure to characterize his medical complaints as serious. A review of the record and the magistrate judge's report and recommendation shows that there is no need to characterize plaintiff's medical condition as serious or not serious since plaintiff has failed to make any specific claims against Dr. Sharp, the only remaining defendant in this action.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be

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DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 3 day of December, 2001.



INGE P. JOHNSON
UNITED STATES DISTRICT JUDGE